



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105-3901**

**APR 01 2015**

Mr. Garrett Davey  
Ms. Kelly LeDoux  
Mr. Brad Bartlett  
University of Denver Sturm College of Law  
2225 East Evans Avenue  
Suite 335  
Denver, Colorado 80208

Re: Freedom of Information Act Request: EPA-R9-2015-002343

Dear Mr. Davey, Ms. LeDoux, and Mr. Bartlett:

This is in response to your Freedom of Information Act request dated December 12, 2014, requesting documents and communication from January 2013 to December 2014 that identify, discuss, mention, refer, and/or are related to the Technical Work Group on Navajo Generating Station (TWG). As you discussed with Ms. Ann Lyons, of the Region 9 Office of Regional Counsel, you agreed to stay your request for documents and communications from August 2009 to January 2013 pending your review of the responsive documents provided today.

We are uploading to FOIA Online the documents that are responsive to your request and are not otherwise exempt. EPA Region 9 has coordinated our record search and response with the Office of Air and Radiation and the Office of General Counsel.

We are not uploading to FOIA Online, and are unable to provide you with the documents, or portions of documents, which have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b) (Exemption 5). A description of the withheld material, along with the basis for withholding, is included as an enclosure to this letter.

You may appeal this partial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed (including the assigned FOIA request number: EPA-R9-2015-002343). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Ann Lyons at (415) 972-3883, should you have any questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Deborah Jordan', with a long, sweeping flourish extending to the right.

Deborah Jordan  
Director, Air Division

Enclosure